

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHRISTOPHER MANHART, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

NATIONAL STUDENTS FOR JUSTICE IN PALESTINE, a project of WESPAC FOUNDATION, INC.; WESPAC FOUNDATION, INC.; DISSENTERS; JEWISH VOICE FOR PEACE; TIDES CENTER, d/b/a COMMUNITY JUSTICE EXCHANGE; JINAN CHEHADE; SUPERIOR MURPHY; RIFQA FALANEH; and SIMONE TUCKER,

Defendants.

Case No. 1:24-cv-8209

Honorable Mary M. Rowland

Magistrate Judge Keri L. Holleb Hotaling

**PARTIES' PROPOSALS
FOR BRIEFING SCHEDULE**

1. On January 29, the Court ordered the defendants to file responsive pleadings or motions to Manhart's Second Amended Complaint by February 25, and for the parties to submit an "agreed briefing schedule" to the Court by March 3. Dkt. 68.

2. On Tuesday, February 25, the defendants filed a total of 128 pages in eight briefs:

- five motions for dismissal on various Rule 12(b) grounds with memoranda totaling 90 pages;
- two motions for Rule 11 sanctions with memoranda totaling 29 pages; and
- a joint motion to strike of nine pages.

Manhart notes that the motions to dismiss are actually longer than ninety pages to the extent the Court honors those briefs' attempts to incorporate arguments from the Rule 11 briefing. *E.g.*, Dkt. 74 at 1 n.1, 7 n.7, 8 n.8, 15; Dkt. 75 at 6 n.4.

3. The parties agree that Manhart will file responsive briefs by March 28.
4. With the Court's leave, Manhart will file:
 - an omnibus response to the motions for dismissal of 55 pages or less;
 - an omnibus response to the Rule 11 motions of 15 pages or less; and
 - the response to the joint motion to strike of ten pages or less.

This is a total of 80 pages or less, well under the 120 pages in eight briefs that the local rules would permit. Defendants take the position that they "do not consent to any page limit other than what is provided in the local rules," and refused to even meet and confer on the question before 1:53 p.m. today.

5. Defendants take the position that they will individually file eight briefs of up to fifteen pages each in reply, as the local rules permit. They have requested an April 28 date for the reply deadline. Defendants' position is that each Defendant is entitled to file its own reply—especially in a case like this where Defendants have advanced both common and individualized arguments. Further, the local rules limit the number of pages for each reply brief and the Defendants will abide by those limits.

6. Manhart does not object to an April 28 reply date if defendants need that extra time because they would need to coordinate to file consolidated reply briefs within page limits. But Manhart believes that thirty-one days is unreasonable to file individual briefs that do not have material constraints on page limits, and has proposed an April 14 deadline. This would be seventeen days, longer than any federal district court's local rules provide for a reply brief for motions. The only reason defendants have given Manhart for the extra time is the need to coordinate, but it would not take two weeks to have a meeting to split up common arguments or to add a single sentence to a brief adopting arguments in other briefs. Moreover, Manhart telegraphed his response to the major issues in the motions to dismiss in drafts of the initial joint status report before January 10, in communications

with the defendants in meet-and-confers over their Rule 11 letters, in his January 27 filing, and in amendments to the complaint, giving months of notice before the reply briefs would be due.

7. In sum, the parties agree that Manhart will file his response briefs on March 28. Manhart requests leave to file a 55-page omnibus response to the Rule 12 motions instead of five fifteen-page responses. Defendants do not consent.

8. With regard to the Defendants' reply, the Defendants request a deadline of April 28. Manhart disagrees and requests that the Court order the Defendants to respond on April 14.

9. Unfortunately, because the parties cannot agree on a deadline for the Defendants' reply deadline and on page limits for a Manhart omnibus response, the parties respectfully request that this Court resolve this dispute.

Dated: March 3, 2025

/s/ Theodore H. Frank

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